

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FREDERICK BURTON

v.

**MARTIN HORN, GERALD L. ROZUM,
THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA and
THE ATTORNEY GENERAL OF THE
STATE OF PHILADELPHIA**

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CIVIL ACTION

No. 09-2435

ORDER

AND NOW, this 26th day of September, 2013, upon consideration of the Petitioner's Motion for Reconsideration and First Supplement to Petitioner's Motion for Reconsideration (papers nos. 74 and 76), and for the reasons in the attached memorandum, it is **ORDERED** that:

1. Petitioner's Motion for Reconsideration for intervening change in law is **GRANTED**.
2. Petitioner's Motion for Reconsideration for alleged errors of law or fact is **DENIED**.
3. Petitioner's petition for habeas relief is again **DENIED**.
4. There is no basis for issuing a certificate of appealability.

/s/ Norma L. Shapiro

J.